

## CITY OF HORSESHOE BAY

### CITY COUNCIL PUBLIC MEETING AND PUBLIC HEARINGS

January 22, 2008

The Council of the City of Horseshoe Bay held a Public Meeting and Public Hearings at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, January 22, 2008, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor  
James E. Babcock, Mayor Pro Tem  
John Bird, Alderman  
Claudia Haydon, Alderwoman  
Richard Rantzow, Alderman  
Jeff Robinson, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Reverend Johnny White, pastor of the Church at Horseshoe Bay led the invocation. Mayor Lambert led the pledge of allegiance to the United States Flag and the Texas Flag. Mayor Lambert welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium.
2. Comments from Mayor: Mayor Lambert stated he had no comments
3. Comments from Aldermen: There were no Alderman comments.
4. Appoint Teresa Moore as City Secretary: Mayor Lambert thanked Toni Vanderburg for serving as the City Secretary since the City incorporated and said she had got it off to a good start. He then said the Council obviously felt comfortable appointing Teresa as the City Secretary. Jeff Robinson made the motion to appoint Teresa Moore as the City Secretary. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Mayor Lambert then administered the oath of office to Mrs. Moore.
5. Recognition of Hill Country 100 Club Awards: Mayor Lambert said the 100 Club is a very important organization across the state of Texas and to this area also. The Hill Country 100 Club which represents Llano and Burnet Counties handed out their annual recognition awards recently. Since Alderman Jeff Robinson has been a leader of the Hill Country 100 Club for several years, the Mayor asked him to acknowledge the recent awards. Alderman Robinson stated Blanco County will now be joining the Hill Country

100 Club. He explained all members pay dues of \$100 per year. Everyone that works for the 100 Club on a volunteer basis and approximately \$0.97 of each \$1.00 goes in the bank. If there is a firefighter, police officer or EMS from these counties killed in the line of duty, the 100 Club promptly gives the immediate family a check for \$10,000 to help with expenses. He then recognized the Horseshoe Bay recipients of this year's 100 Club awards. Jason Graham was Law Enforcement Officer of the Year, Jeff Isom was Firefighter of the Year and Debbie Roper was Support Person of the Year. He thanked them for all they do.

6. Public Comments: Mayor Lambert said no one had signed up to speak.
7. Ryder Warren, Superintendent of Marble Falls School District: Mayor Lambert welcomed Ryder Warren. Dr. Warren thanked the Council. He gave an update on the building program stating everything is going well. Ground has been broken on some of the seven projects and those remaining are in the design phase. The second issue he wanted to speak on was a new initiative they are undertaking at the high school where the school district is asking for community leaders to speak to their Career and Technology students in order to give them real life applications to what they are learning in the classrooms. They feel these kinds of mentors would certainly benefit the students.
8. Items to be Removed from the Consent Agenda: Mayor Lambert stated he needs to remove Item 8. j. from the Consent Agenda.
  - j. De-Annexation of Portion of Recycle Center Area of Wastewater Treatment Plant Mayor Lambert said there is something that needs to be read into the record once the item is approved as advised by the City Attorney. Alderman Babcock made the motion to approve the de-Annexation of a portion of the Recycle Center area of the Wastewater Treatment Plant. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Mayor then stated, "By this action I hereby order the discontinuance of this area as part of the City".
9. Consent Agenda:
  - a. Minutes of the December 11, 2007 Public Meeting
  - b. Final Plats:
    - i. Replat Lot Nos. 2082, 2083 and 2084, Horseshoe Bay Plat No. 2.0 to be known as Plat No. 2.1, Horseshoe Bay, Llano County, Texas (1200 Block of Airpark near Quick Draw)
    - ii. Replat of Skywater Over Horseshoe Bay, Plat No. 3.1, Lot Nos. 9, 14, 15, 17-19, 38-41, 51-53, 65-96 and Greenbelts 8-1, to be known as Plat No. 3.2 being 58.91 acres out of the Nicholas Mendez Survey No. 3, Abstract No. 506, Llano County, Texas
  - c. General Fund Budget Amendment for Transfer from Contingency to City Manager Recruitment
  - d. Pedernales Electric Cooperative, Inc. Franchise Agreement
  - e. Change Date of August 26, 2008 Council Meetings to August 19, 2008
  - f. Revise Exhibit A to Compensation Policy
  - g. Amendment to Correct Typographical Error in the Animal Control Ordinance
  - h. Annexation Plan

- i. International Fire Code 2006 Edition (no Residential Sprinkler System Requirement)
  - k. Application to Re-negotiate LCRA Raw Water Contract
- Alderman Rantzow made the motion to approve the remainder of the Consent Agenda. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
10. General Manager's Report: Mike Thuss presented the General Manager's report noting there is a new Administration report included this month. Chief Jim Fiero stated the Fire Department has taken delivery of their new \$235,000 fire truck that was a part of the Capital Budget for this fiscal year. He thanked the Council for their support of this purchase. A copy of the General Manager's report is hereby attached and made a part of these minutes.
11. Public Hearing on Planned Development Ordinance for Zone 14, Horseshoe Bay Boulevard Zone: Mayor Lambert convened the public hearing at 3:18. He asked if anyone wanted to speak. No one did and he adjourned the public hearing. Mayor Lambert added that due to the many public meetings that have already taken place with immediate neighbors, a community meeting with over 200 people in attendance, an ad in the HSB Beacon, as well private meetings with members of the City Council at various times, and the morning City Council public workshop there will only be a brief presentation at this meeting. Ron Mitchell, Vice Chairman of the Resort reviewed the process leading up to the creation of the Master Plan for Zone 14. David Rhodes with VITA Planning and Landscape Architecture gave a presentation on the Master Plan followed by Jeremy Wyndham with Jacobs Engineering, who did the traffic study. Mayor Lambert explained the Planned Development Ordinance will memorialize in a legal format the allowed uses of each of the 14 tracts. Mayor Lambert said during the workshop this morning, Council identified some minor changes that need to be made to the ordinance and the draft on the City's website will be updated within the next couple of days in order to allow citizens time to review this document. Council is expected to consider this for approval at the February 19, 2008 Council meeting. Alderman Babcock stated that the proposed uses of these tracts are listed in this document, and if there is any change in that use, they would have to come back and seek Council approval. He also encouraged citizens to attend Council workshops on topics they are interested in because at the workshops topics are discussed in much more depth than a regular Council meeting allows. He feels it would be a great learning experience on some of the matters that come before Council for consideration. Alderman Robinson wanted to clarify a point regarding all of the properties that are zoned as C-2 in these plats will not have any retail establishments, only that there may be a related shop within the spa, or tennis center and will continue to only be open to members, their guests and Resort and hotel guests. Mayor Lambert again encouraged everyone to visit the City's website for information regarding this item.
12. Annexation Petitions for Land Under Marina and Day Dock: Mayor Lambert stated this item is to accept annexation petitions for the land under the marina and the day dock. He said there was a drawing showing the proposed marina as well as the proposed day dock at the Yacht Club and that the land under these structures is not currently in the City.

This is the first step in the annexation process. Alderman Rantzow made the motion to accept the annexation petitions. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).

13. Draft Development Agreement with Planned Development Ordinance for Walsh Commercial Development - Discussion Only: Mayor Lambert said this item regards a Mike Walsh commercial project. Mr. Walsh stated he is the developer of The Trails of Lake LBJ. The property this project involves is currently called The Space Center. Their plan is to build a new storage facility at the back of the property and demolish the current storage facility at the front of the property. The plan includes one two story building and two one story buildings for commercial use toward the front of the property. Mayor Lambert said this item was also on the workshop agenda this morning, some were changes made and the revised version of the draft Development Agreement will be on the City's website by Wednesday or Thursday of this week.
14. First Amendment to Development Agreement, Water Utility Service Agreement, Wastewater Utility Service Agreement, and PD Ordinance – Skywater Over Horseshoe Bay: Dale Rodman had signed up to address the Council regarding this item. His concern is the City could be giving away their incremental capacity to Skywater. Mayor Lambert said this document was on the agenda for the last Council meeting and was discussed in detail at that time. There have been no changes to the document since the last meeting. Mayor Lambert explained the City has not yet completed the negotiations with Skywater for the cost sharing contract for additional water, wastewater and water storage facilities. The plan is to have this done by June 30, 2008. Alderman Babcock made the motion to approve the first amendment to Development Agreement, Water Utility Service Agreement, Wastewater Utility Service Agreement, and PD Ordinance for Skywater Over Horseshoe Bay. The Motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
15. Marina Village Development: Mr. Sam Martin presented a status report on the Marina Village development. He stated the design work was presented to the public at two public forums at the Marriott with a total of approximately 90 attendees. They have taken comments made at these forums into consideration. They have met with both the City Chief of Police and Fire Chief. Mr. Martin stated the development process is now at a point that they need to know if their request to go from three stories to five stories is going to be acceptable for the community. He asked if Council had any concerns regarding this project prior to the Developer submitting the formal Development Approval and asking for the Council's approval. There was some discussion regarding the stark, contemporary look of the exterior. Mr. Martin said he feels that once the material choices are finalized the design will be much more acceptable. He also added that they will still have to come for building permits prior to starting construction. This item will be on the February agenda for action.
16. A Resolution Accepting a Service and Assessment Plan for the Escondido Public Improvement District; Setting a Date for a Public Hearing; Authorizing the Publication of Notice; and Enacting Other Provisions Relating Thereto: Mayor Lambert stated this is a continuation of the process in order to complete the agreement between Escondido and

Lake LBJ MUD entered into about three years ago. Bonds will be sold in order to reimburse the developers for the cost of the infrastructure and repayment of these bonds will be made only by property owners in Escondido. The City's auditors will audit the costs submitted by the Developer for repayment. Alderman Robinson made the motion to accept the resolution accepting a Service and Assessment Plan for Escondido PID. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).

17. Consider and Take Action on a Development Agreement between the City and Escondido Partnership, LTD. Concerning the Acquisition, Reimbursement and Construction of Public Improvements within the Escondido Development: Mayor Lambert stated this is another document in the process between Escondido and the City of Horseshoe Bay. Alderwoman Haydon made the motion to approve the Development Agreement as presented. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
18. Sign Ordinance Amendment Regarding Open House Signs: Local realtor Macon Dunham signed up to request Council allow at least three signs when realtors hold an open house. Another realtor, Elaine Roberts also requested Council allow three signs and to change the requirement for the size of open house signs to allow for the smaller tent signs the local realtors use. Sam Tarbet stated the HSB Sign Committee suggests allowing two directional and one sign at the house. Alderman Babcock made the motion to allow two directional signs and one sign at the house for open houses and change the maximum sign size to a height of 18 inches, width of 2 feet, and overall height including frame not to exceed 40 inches. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
19. Amendment to Zoning Ordinance for Commercial Marinas, Community Marinas and Day Docks: Mayor Lambert stated this is an amendment to the Zoning Ordinance. The City's Comprehensive Development Plan contemplated a marina ordinance. The Lower Colorado River Authority also regulates marinas on Lake LBJ and has a comprehensive marina document in place so this proposed ordinance would only cover land matters and defers the actual standards on the water to the LCRA. This item will be on the February 19, 2008 agenda for action.
20. Conduct a Public Hearing and Consideration of Preliminary Plats:
  - a. Replat of Lot No. 62, Horseshoe Bay Applehead Island Plat No. 1 and Lot No. 64, Horseshoe Bay Applehead Island Plat No. 1.64, Llano County, Texas to be known as Horseshoe Bay Applehead Island Plat No. 1.62-A (#62 and #64 Applehead Island Drive)
  - b. Replat of Lot Nos. 12047 and 12048 and Adjacent Fill Area, Horseshoe Bay, Plat No. 12.1, Llano County, Texas to be known as Horseshoe Bay, Plat No. 12.22 (115 & 119 Lighthouse Drive)
  - c. Replat of Lot Nos. W2031 and W2032, Horseshoe Bay West, Plat No. W2.2, Llano County, Texas to be known as Horseshoe Bay, Plat No. W2.7 (111 & 113 Ravine Street)
  - d. Nine Replats of Zone 14 PD: Tracts 2, 4, 5, 6, 7, 8, 9, 12 and 13

Alderman Rantzow made a motion to approve all of the preliminary plats. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

21. Public Hearing and Consideration and Possible Action Regarding Drought Contingency Plan and Water Conservation Plan: Mayor Lambert convened the public hearing at 4:49 p.m. and asked if there were any comments. There were none, and he adjourned the public hearing. Alderwoman Haydon suggested a \$100 or 10% penalty whichever is greater, for second time non-compliance to restrictions, progressing in \$50 increments for each additional instance of non-compliance to restrictions. Alderwoman Haydon made the motion to approve. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
22. Consider Modification of Utility Rates: This item was deferred until the February 19, 2008 Council meeting.
23. Residential Sprinkler System Amendment to the 2006 Edition International Fire Code – Discussion Only: Brian Ellis with Westway Builders, representing Highland Lakes Builders Industry Assn., addressed the Council expressing his opposition to requiring fire prevention sprinkler systems in residential structures noting he feels this should remain voluntary. Ray Gill an architect in Horseshoe Bay and also representing Highland Lakes Builders Industry Assn. stated his opposition to this requirement. Fire Chief Jim Fiero gave a brief presentation showing why he feels sprinkler systems are effective. He said he will continue to meet with area builders and come back to the Council with a specific recommendation for their decision at some point in the future. Sprinkler systems are already a requirement in multi-family and commercial structures. Alderman Babcock suggested a voluntary based program be considered. Possible size requirements mentioned were 5,000 and 7,000 square feet. The Council will to continue to consider this matter.
24. Request for Approval of a 10,592 Square Foot Residence, Lot No. Legacy 2, The Peninsula, Horseshoe Bay, Burnet County, Texas (121 Estate Drive): Due to the fact the requirement for residential sprinkler systems has not been adopted, it will not be a requirement for this home. Council had mandated this on one house over 10,000 square feet in the past; however Council at this point would like to reverse this precedent and not require that Clifford Grubb install a sprinkler system in the home he is building. Alderman Rantzow made the motion to approve the plans for the residence to be built at Legacy 2, The Peninsula. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0). Mayor Lambert asked that Mr. Grubbs be notified by City personnel.
25. Update on City Manager Search: Mayor Lambert gave a brief update on the City Manager search. He said all Council members had seen the brochure prepared by Waters-Oldani and stating he appreciates everyone's help with this and he is very pleased with the results. They are actively marketing the position now and receiving applications. Waters-Oldani will screen applicants within the next couple of weeks. They will then meet with Mayor Lambert and Aldermen Bird and Robinson in order to narrow it down to a list of 10-12 semi-finalists. Waters-Oldani will then do the research

on those individuals and then Mayor Lambert and Aldermen Bird and Robinson will meet again to narrow it down to the 4-6 finalists. At that point the entire City Council will become involved in the interview process and narrow it down in order to have a second interview, possibly a day or two in length with the person they are considering making an offer to.

26. Adjournment: Alderwoman Claudia Haydon made a motion to adjourn the meeting. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).

APPROVED this 19<sup>th</sup> day of February, 2008.

/S/  
**Robert W. Lambert, Mayor**

ATTEST:

/S/  
**Teresa L. Moore, City Secretary**